

Remarks

As a result of this amendment, claims 1 and 3-7 are in the case.

Claim 1 has been amended so the limitations of claim 2 are inserted therein and claim 2 is canceled. Claim 1 as amended is claim 2 in independent form.

Enclosed herewith is a Declaration Under 37 C.F.R. 1.132 of inventor Chu.

We turn now to the rejections.

Claim 1 is rejected under 35 E.S.C. 103 (a) as unpatentable over Eckman et al. (U.S. 4,822,535) in view of Mosier (U.S. 4,492,720). Claim 1 is amended herewith to be the same in substance as Claim 2 as filed. Reconsideration is requested.


Claim 2 (the same as amended claim 1) is rejected under 35 U.S.C. 103 (a) as being unpatentable over Eckman et al. (U.S. 4,822,535) in view of Mosier (U.S. 4,492,720) and in view of Jahns (U.S. 5,596,051). The rejection (paragraph 10) is predicated on Jahns disclosing polyethylene glycol diacrylate at 3/5-11. Jahns doesn't show this but rather recites ethylene glycol diacrylate. For the difference in results, see paragraph 10 of the enclosed Chu declaration. The rejection is also predicated on Eckman teaching polyethylene glycol as the dispersed phase (Example 6). Eckman doesn't teach this, note it says that acryldextran solution is the inner phase (10/8). The rejection is technically and egregiously incorrect. Reconsideration is requested.

Claim 3-7 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Eckman et al. in view of Mosier et al. and in view of Jahns and further in view of Nelson (U.S. 6,596,293). Nelson doesn't correct for the deficiencies of Eckman and Jahns so far as Claim 2 is concerned. Claims 3-7 are patentable for the same reasons as Claim 2. Reconsideration is requested.

Allowance is requested.

Respectfully submitted,
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